

REMARKS

The Examiner is thanked for the performance of a through search. In this paper, independent Claims 1, 10, and 23 are amended, Claims 34 and 39 are canceled, and no claims are added. Previously Claims 19-22 and 36 were canceled. Hence, Claims 1-18, 23-33, 35, 37, 38, and 40-43 are pending in the application.

I. ISSUES RELATING TO PRIOR ART

A. CLAIMS 23-25—YAZAKI; CLAIMS 23-29 AND 31-43—HOFFMAN

Claims 23-25 stand rejected under 35 U.S.C. 102(e) as allegedly anticipated by Yazaki et al., US 2004/0202184 A1. Claims 23-29 and 31-43 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Hoffman et al., U.S. Pat. No. 6,094,435 (Hoffman). The rejections are respectfully traversed.

An anticipation rejection cannot stand if a rejected claim contains one or more elements, limitations or steps that are not found in the cited prior art reference. See *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983). Further, a rejection for obviousness is unsupported if the proposed combination of prior art references does not teach or suggest all elements of the claim or the complete claimed combination. Independent Claims 1, 10, and 23, from which all other claims depend directly or indirectly, are amended herein to recite subject matter not found in any of the cited references, alone or in combination. Therefore, all claims are patentable over the references of record.

In particular, Claims 1, 10, and 23 each features the recitation **wherein the second device accesses a forwarding memory to record one or more forwarding information rules as the forwarding information rules become available to the second device in response to changes in any one of network topology, access control, and administrative and managerial rules.**

In the case of Claim 23, the Fast Forwarding Engine (FFE) is referenced rather than the second device. In each of Claims 1, 10, and 23, the amendments clarify that an additional capability of the second device or Fast Forwarding Engine is updating the forwarding memory or CAM in response to changes in forwarding rules. Claims 23-29 and 31-43 depend directly or indirectly from claim 23 and therefore include the foregoing feature by dependency.

The cited references provide no teaching or suggestion about how to record rules in a forwarding memory or CAM, as the rules become available, in response to changes in topology, access control, administrative or managerial rules.

Canceled Claim 39 formerly recited similar subject matter. In addressing canceled Claim 39, the Office Action contends that Hoffman shows that a fast forwarding engine accesses a forwarding CAM to record new forwarding information rules as they become available. This is incorrect. The cited passage of Hoffman merely provides forwarding logic 52 searches the forwarding memory for matches and obtains matching entries that define actions—nothing in Hoffman refers to **recording rules in the CAM, or updating the CAM** in response to **changes in rules as they become available**. The vague reference in Hoffman to “searching” and “matching” does not suggest updating, or updating in response to external changes in topology or rules, as claimed.

No other reference of record cures the deficiency of Hoffman. Yazaki is not cited with respect to claim 39 and has no teaching relating to the feature cited above.

For these reasons, Claims 23-25 are patentable over Yazaki, and claims 23-29 and 31-43 are patentable over Hoffman. Reconsideration and withdrawal of the rejections are respectfully requested.

B. CLAIM 30—HOFFMAN ET AL. IN VIEW OF KERR

Claim 30 stands rejected under 35 U.S.C. § 103 as allegedly unpatentable over Hoffman et al. in view of Kerr et al., U.S. Pat. No. 6,513,108 (Kerr).

A proper § 103 rejection must be based upon a proper combination of references that together disclose, teach or suggest all features of the claimed subject matter. Claim 30 depends indirectly from claim 23, which features the recitation **wherein the second device accesses a forwarding memory to record one or more forwarding information rules as the forwarding information rules become available to the second device in response to changes in any one of network topology, access control, and administrative and managerial rules**. As stated above, Hoffman et al. fails to teach or disclose this feature, and no other reference of record has such a teaching. The Office Action relies on Kerr for other reasons, and nothing in Kerr can provide for recording forwarding rules as they become available in response to changes.

Accordingly, the proposed combination of Hoffman et al. and Kerr does not provide the complete subject matter recited in claim 30. Therefore, the § 103 rejection is unsupported in the references. Reconsideration and withdrawal of the rejection are respectfully requested.

C. CLAIMS 1-3 AND 7-16—HOFFMAN ET AL. IN VIEW OF CARVEY ET AL.

Claims 1-3 and 7-16 stand rejected under 35 U.S.C. § 103 as allegedly unpatentable over Hoffman et al. in view of Carvey et al., U.S. Pat. No. 6,359,879 (Carvey). The rejections are respectfully traversed.

A proper § 103 rejection must be based upon a proper combination of references that together disclose, teach or suggest all features of the claimed subject matter. Claims 1 and 10 each feature the recitation **wherein the second device accesses a forwarding memory to record one or more forwarding information rules as the forwarding information rules become available to the second device in response to changes in any one of network**

topology, access control, and administrative and managerial rules. Each of claims 2-3, 7-9, and 11-16 depends directly or indirectly from claim 1 or claim 10, and therefore includes the same feature by dependency. As stated above, Hoffman et al. fails to teach or disclose this feature, and no other reference of record has such a teaching. The Office Action relies on Carvey for other reasons, and nothing in Carvey can provide for recording forwarding rules as they become available in response to changes.

Accordingly, the proposed combination of Hoffman et al. and Carvey does not provide the complete subject matter recited in claims 1-3 and 7-16. Therefore, the § 103 rejection is unsupported in the references. Reconsideration and withdrawal of the rejection are respectfully requested.

D. CLAIMS 4-6, 17, AND 18—HOFFMAN ET AL. IN VIEW OF CARVEY AND
FREITAG

Claims 4-6, 17, and 18 stand rejected under 35 U.S.C. § 103 as allegedly unpatentable over Hoffman et al. in view of Freitag, Jr. U.S. Pat. No. 6,237,054 (Freitag). The rejections are respectfully traversed.

A proper § 103 rejection must be based upon a proper combination of references that together disclose, teach or suggest all features of the claimed subject matter. Claims 1 and 10 each feature the recitation **wherein the second device accesses a forwarding memory to record one or more forwarding information rules as the forwarding information rules become available to the second device in response to changes in any one of network topology, access control, and administrative and managerial rules.** Each of claims 4-6, 17, and 18 depends directly or indirectly from claim 1 or claim 10, and therefore includes the same feature by dependency. As stated above, Hoffman et al. fails to teach or disclose this feature, and no other reference of record has such a teaching. The Office Action relies on Freitag for other

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reasons, and nothing in Freitag can provide for recording forwarding rules as they become available in response to changes.

Accordingly, the proposed combination of Hoffman et al. and Freitag does not provide the complete subject matter recited in claims 4-6, 17, and 18. Therefore, the § 103 rejection is unsupported in the references. Reconsideration and withdrawal of the rejection are respectfully requested.

II. CONCLUSIONS AND MISCELLANY

For the reasons set forth above, it is respectfully submitted that all of the pending claims 1-18, 23-33, 35, 37, 38, and 40-43 are now in condition for allowance. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Applicants hereby petition for an extension of time to the extent necessary to make this reply timely filed. No fees are believed to apply to this paper. Throughout the pendency of this application, the Director is authorized to charge any applicable fees and to credit any over-payments to our Deposit Account No. 50-1302.

Respectfully submitted,

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